

Assembly

MINUTES

WAYS AND MEANS COMMITTEE - NEVADA STATE LEGISLATURE - 58th SESSION

April 21, 1975

The meeting was called to order at 8:00 A.M. by Chairman Mello in the Ways and Means Committee Room.

PRESENT: Chairman Mello, Mr. Bremner, Mrs. Brookman, Mr. Dreyer, Mr. Glover, Mr. Howard, Mr. Robinson, Mr. Weise and Mr. Wittenberg.

ALSO PRESENT: John Dolan, Bill Bible, Judge James Guinan, Jim Brook, Assemblyman Lonnie Chaney, Claude Perkins, Tom Ogg, Dick Wright, John Gamble, Dick Morgan and Speaker Keith Ashworth.

Mrs. Brookman made a motion to approve the minutes of April 10 and 11, 1975. Mr. Bremner seconded. Motion passed.

SB 305 "Changes basis and adopts graduated scale for determining the amounts of judicial pensions." BDR 1-914.

Judge Guinan stated that at the present time a judge may retire with one-third of his salary after 12 years and two-thirds of his salary after 20 years, but there is not provision for in between. A judge who has more than 12 years but should retire stays on the bench until he has 20 years. This bill allows for payment in between and has no fiscal effect.

Chairman Mello stated that there is a fiscal note for \$6,759 in both years.

Judge Guinan stated that if this is lowered to ten years it would take care of a judge who has ten years and is 60 years old. The original draft of the bill was ten years but the Senate amended it back to 12. This would not be based on the current salary level but at the salary the judge is presently receiving. He also stated that this is not retroactive and would not affect a judge who has already retired.

Jim Brook stated that the state bar supports and endorses this bill. They are in favor of the ten year provision but since the Senate has already amended the bill they will go along with the 12 years.

Chairman Mello asked if Section 1, subsection 2 does qualify those who are already retired.

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Judge Guinan has no objection to the bill being amended to read "not to include those that are retired." This would encourage people to take the office and also encourages those to get off the bench when they should rather than waiting until they have 20 years. There are presently three Supreme Court judges with less than 20 years and not 60 years old, three District judges who have twenty years, and two District judges between 12 and 20 years. The affect will not be immediate.

Mr. Dreyer made a motion to recommend a "Do-Pass". Mrs. Brookman seconded. Motion passed.

AB 167 "Includes summer school make-up programs in apportionments from state distributive school fund." BDR 34-469.

Claude Perkins, Assistant Superintendent Clark County, stated that this make-up program would keep kids in school. It would provide a process of serving students that drop out or can't keep up. This would provide for them the opportunity to go to summer school so they can get caught up. This is designed to help those in elementary school in reading and math and in secondary school the students could take courses needed to graduate from High School. They have had many students in 11th and 12th grades dropping out of school. They are asking Washoe and Clark Counties to participate in this program.

Assemblyman Chaney stated that the Education Committee felt this was very much needed and the fiscal note changed with the amendment.

Tom Ogg, Coordinator of summer school programs in Washoe County, stated that this bill would affect the remedial program. They are operating

Page 2

remedial programs for children in seven sites and for High School they have programs in four High Schools. Based on past experience they estimate having 240 secondary students. They have 480 elementary students involved in remedial programs. They operate a self-supporting program as the students are charged for the classes, but there are costs that are borne by the district.

Dick Wright, Washoe County School District, stated that the amendment referred to by Assemblyman Chaney has a maximum allocation of \$250,000 per fiscal year. If this is not enough the school districts would have to distribute these dollars proportionately.

John Gamble stated that the Distributive School Fund has had money left over because the amounts are based on estimates. If this \$250,000 is not enough they would probably have funds in basic support to carry this.

Dick Morgan stated that the Teacher's Association supports this bill. They are concerned about return students and this would provide a means of keeping kids in school. When kids get behind they get frustrated and discouraged and drop out. This bill would exclude the 45-15 plan.

Mr. Robinson felt that summer school is not mandatory now and if this is passed, those that are now paying will stop paying. He also questioned why this is only in two counties.

Mr. Morgan stated that when this bill was brought up, only Washoe and Clark Counties expressed any interest.

Chairman Mello wondered if maybe something was wrong with the system because students are just being passed. Many students go to college and can't read or write and wondered how many graduate from college still not knowing how to read or write.

John Gamble stated that they have had money left over in the last four to five years and have always had a reversion.

Dick Morgan stated that this year there is over \$7 million. They are willing to gamble that in two years from now there is a reversion.

Dick Wright stated that he is opposed to only letting students who fail take classes as it should be open to any student who wants to attend.

Chairman Mello felt this would be getting out of hand if the people who are already paying taxes for schools would have to pay again for summer school where others do not.

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Dick Morgan stated that it is in the state's interest to salvage the kids who perhaps through no fault of their own are falling behind. This would create real problems and is not going to work if it is open to everyone. He is not in favor of paying anything for a student who wants to accelerate graduation to which Mr. Wright agreed.

Mr. Wittenberg stated that the amendment was not considered in the Education Committee. (see attached).

Mr. Chaney said it was suggested to him that he show the amendment to the Chairman along with the bill.

John Gamble stated that students are behind because they need help and are presently being placed in handi-capped classes during the year. It would be for students who are behind for other reasons and may only need to catch up one year. The handi-capped classes vary from mentally handi-capped, orally handi-capped, visually handi-capped, physically handi-capped, emotionally handi-capped and the learning disability handi-capped.

Mr. Weise stated that they are funding about one-tenth of the students who are failing. If the summer schools are presently running in the red he felt that this would keep them in the red.

Claude Perkins stated that the selection would be based on those needing the requirements and in elementary school those who need help in reading and math and would have nothing to do with their income.

Mr. Robinson felt that the elementary students who need reading and writing and are behind are losing the tools that they need. But the High School

students may fail because they have lost interest. He is more concerned about helping the students in grades one through five.

Mr. Ogg stated that Washoe County School District's budget is around \$150,000 and they have \$39,000 being borne by the School District.

Mr. Wittenberg questioned why the parent is not being charged for the entire cost.

Mr. Ogg replied that more students would not be able to afford summer school if the fee was raised.

Mr. Dreyer stated that remedial teachers are hired so the student can be taught during the school year. He does not stay in a class, but goes to his remedial class for that hour.

Mr. Perkins stated that Clark County has 65 remedial teachers and one in each elementary school. They have math classes that are funded by Title I and work with kids with reading and math problems in the course of the day.

Mr. Robinson then continued with the Capital Improvement recommendations of the sub-committee. He made a motion to approve the following projects:

- 75-34 In-patient Residential Facility
- 75-35 Mental Health Institute
- 75-40 Air Condition Classroom - NYR Elko
- 75-41 U.S.P.F. Office and Warehouse
- 75-44 Curb Cuts for Handicapped
- 75-48 Complete Chemistry Labs, UNR
- 75-49 Complete Remodeling of State Library
- 75-50 Security Lights - Medium Security Prison

• Mrs. Brookman seconded. Motions passed.

75-36 Classroom Addition, Girls Training Center - This project was estimated at \$90 per square foot which was much higher than any other project. The sub-committee felt that the rectangular building could be built for much less. Mr. Robinson made a motion to reduce this project by \$64,000. Mrs. Brookman seconded. Motion passed.

75-37 Athletic Field, UNLV - Mr. Robinson made a motion to reduce this project by \$25,000. Mrs. Brookman seconded. Motion passed. Mr. Weise voted no.

75-38 Athletic Field, NYR Elko - Mr. Weise stated that there is a level piece of ground that this could be built on without leveling the piece of ground that is going to be used. Mr. Robinson made a motion to approve this project. Mrs. Brookman seconded. Motion passed. Mr. Weise voted no.

75-39 Carpeting, Northern Nevada Children's Home - Mr. Robinson made a motion to delete this project and include it in SB 285. Mrs. Brookman seconded. Motion passed.

75-42 Sunshades Lake Mead Hatchery - Mrs. Brookman stated that they will be covering 40 ponds and these sunshades have to be insulated on the inside. Mr. Robinson made a motion to approve this project. Mrs. Brookman seconded. Motion passed. Mr. Weise voted no.

75-43 Agriculture Office and Lab, L.V. - Mr. Weise felt it would maybe cost less to rent office space and delete the project and so moved. Mr. Bremner seconded. Motion failed. Mr. Robinson made a motion to reduce the project by \$21,000. Mrs. Brookman seconded. Motion passed.

75-45 Animal Disease Lab, Elko - Mr. Robinson made a motion to delete the project and lease a facility and put \$12,000 in the Veterinary Medical Science budget in the second year of the biennium. Mrs. Brookman seconded. Motion passed.

75-46 Storage Building, Northern Nevada Children's Home - Mr. Robinson made a motion to reduce this project by \$41,000 as they felt they could build a building for this amount of money as needed. Mrs. Brookman seconded. Motion passed.

75-47 Health Lab Reno - Mr. Robinson made a motion to approve this project. Mrs. Brookman seconded. Motion passed.

75-51 Parking Lot and Entry Way, UNLV - Mr. Robinson made a motion to reduce this project by \$29,000. Mrs. Brookman seconded. Motion passed. Mr. Weise voted no.

75-52 Museum toilets - Mr. Robinson made a motion to approve this project at a total of \$25,000. Mrs. Brookman seconded. Motion passed.

75-53 Kitchen Facility, Comp. Center LV - Mr. Robinson made a motion to reduce this project by \$134,544. Mrs. Brookman seconded. Motion passed.

75-54 Elko Northern Nevada Community College - Mr. Howard stated that he has checked into the lighting situation in the main classroom building and found that the lighting switches are all downstairs. This switch handles the lights in all the rooms and presently all the lights are kept on even if only one class is meeting. When they want the lights on or off they must go downstairs and flip the switch. This presents a problem especially when they want to run the projector during a class. He is recommending that \$13,500 be appropriated to install light switches. Also, when it snows, the cars drive over the landscaped areas and run over the sprinkler heads. They would like to put up barriers to prevent this from happening. Mr. Howard made a motion to appropriate \$16,000 for these two projects. Mrs. Brookman seconded. Motion passed.

75-13 Mr. Robinson stated that he spoke with the Secretary of State who is more concerned about insufficient space and is very interested in a new office. Chairman Mello felt that if the building was redone, the bottom floor could be used for office space. Mr. Robinson stated that it would be a shame to destroy the capitol and felt it should remain as is until it falls down. No matter how much money is spent to make it safe he felt it would not have adequate space. The state needs an executive office building that looks to the needs of the future and would have to go into land acquisition to keep the capitol complex in the same area. Some of the money recommended could go into advanced planning. Mr. Glover felt there was no place to put a new building. Mr. Weise stated the historical value is on the outside and none of the occupants are concerned about it falling down on them. Mr. Dreyer goes along with the suggestion of building a new building and thought it could be built in the walkway between the capitol and the Legislative Building. Mr. Glover stated that this is a very important decision and it should be at least studies and input from the people should be requested. Mr. Robinson has received many letters from historical societies who do not want it torn down. Chairman Mello felt that only the Secretary of State's office is going to get larger and he would use the whole basement.

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The sub-committee of Division of State Parks which included Speaker Keith Ashworth, Mr. Robinson and Mr. Howard, gave their report. State Park Planning and Development - Mr. Robinson explained the cost of consultants vs. in-house planning. He stated that the number of employees has slightly increased compared to the many additional projects. It is difficult to handle the increased workload with the small number of staff. The plan has to be redone in order to receive the Federal funds and a small savings of \$42,000 could be affected with the addition of two staff members. They are presently spending money for outside consultants. They would like to add a civil engineer and a technical engineer. Outside consultants would still be needed but not as much as before with the addition of these two positions.

Keith Ashworth stated that from a savings point of view, they have been taking money to put in outside engineering for projects. They would have to be informed that with these two new positions they cannot take project money to hire outside consultants. The sub-committee is also recommending two planners. He is convinced that with the addition of four additional people they could do a much better job.

Division of State Parks - Mr. Glover made a motion to recommend a "Do-Pass" as recommended by the Governor. Mr. Weise seconded. Motion passed.

Park Commission Marina Division - Mr. Dreyer made a motion to recommend a "Do-Pass" as recommended by the Governor. Mrs. Brookman seconded. Motion passed.

State Park Planning and Development - Mr. Robinson made a motion to approve the Agency Request for two Park Engineers II and appropriate costs. Mr. Glover seconded. Motion passed. Mr. Bremner made a motion to recommend a "Do-Pass" as recommended by the Governor. Mr. Wittenberg seconded. Motion passed.

Land and Water Conservation Program - Mr. Dreyer made a motion to recommend a "Do-Pass" as recommended by the Governor. Mr. Weise seconded. Motion passed.

The meeting adjourned at 11:00 A.M.

ASSEMBLY ACTION

SENATE ACTION

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Amendments to Assembly / Siihite

Bill / Joint Resolution No. 167 (BDR 34-462)

Proposed by Assemblyman Chaney

Amendment N^o 7994

Amend section 1, page 1, by deleting line 1, and inserting:

"Section 1. Chapter 387 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The moneys from the state distributive school fund to be distributed pursuant to subsection 2 of NRS 387.124 to provide for summer school makeup programs shall not exceed a maximum allocation of \$250,000 per fiscal year. If the combined requests from the individual school districts exceed the total allocation, the

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state board of education shall adopt regulations providing for an apportionment of the maximum allocation among the school districts applying for such moneys. The apportionment shall be based upon the average daily attendance--full term, as defined in NRS 387.123, of the individual school districts.

Sec. 2. Chapter 388 of NRS is hereby amended by adding".

Amend section 1, page 1, by deleting lines 11 through 14 and inserting:

"admission and who, during the immediately preceding school year, failed, or was recommended by school personnel for additional instruction to assist such pupil in advancing with his grade level the succeeding school year;"

Amend section 1, page 1, by deleting lines 18 and 19, and inserting:

"in such subjects during the immediately preceding school year; and"

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Amend sec. 3, page 3, line 39, by deleting: "One-fourth" and inserting: "One-eighth".

Amend sec. 3, page 3, line 40, by deleting: "one-fourth" and inserting: "one-eighth".

Amend title by deleting lines 3 and 4 and inserting:

"the state distributive school fund; providing a maximum allocation of money to the summer school makeup programs; and providing other matters properly relating thereto."